

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: John T. Ness  
Serial No.: 10/629,460  
Filed: July 29, 2003  
Title: CONCRETE BLOCK MOLD WITH MOVEABLE LINER

Examiner: Donald H. Heckenberg, Jr.  
Group Art Unit: 3673  
Docket No.: H295.101.101

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**CERTIFICATE OF TRANSMISSION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby certify that the following paper(s) are being facsimile transmitted to the U.S. Patent and Trademark Office, Fax. No. (571) 273-8300 on the date shown below:

Transmittal Sheet containing Certificate of Mailing under 37 C.F.R. 1.8 (1 pg.)  
Response to Notice of Non-Compliant Amendment Under 37 C.F.R. 1.121 (2 pgs.)  
Amendment and Response (16 pgs.)

Date: June 8, 2006

SED: bc

By: Steven E. Dicke

Name: Steven E. Dicke (Reg. No. 38,431)

20 Pages (including cover page)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Serial No.: 10/629,460

Group Art Unit: 3673

Filed: July 29, 2003

Docket No.: H295.101.101

Title: CONCRETE BLOCK MOLD WITH MOVEABLE LINER

**Mail Stop Amendment**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:


We are transmitting herewith the attached:

- ☒ Transmittal Sheet containing Certificate of Mailing under 37 C.F.R. 1.8
- ☒ Amendment and Response 16 pgs.
- ☐ Petition for a Extension of Time 1 pg.
- ☐ The Commissioner is authorized to charge \$0.00 to Deposit Account No. 500471 to cover any additional claims fees
- ☐ The Commissioner is authorized to charge to Deposit Account No. 500471 to cover the Extension of Time fees
- ☒ Other: Response to Notice of Non-Compliant Amendment Under 37 C.F.R. 1.121
- ☐ Other Fees: The Commissioner is authorized to charge \$0.00 to Deposit Account No. 500471 to cover \_\_\_\_\_
- ☐ Return Postcard

Claims as Amended:					
	Claims Remaining After Amendment	Highest Number Previously Paid For	Extra	Rate	Fee
TOTAL CLAIMS	64	67	0	X \$25.00	\$0.00
INDEPENDENT CLAIMS	2	3	0	X \$100.00	\$0.00
MULTIPLE CLAIMS PRESENTED	No				\$0.00
				<b>TOTAL</b>	<b>\$0.00</b>

Customer No. 025281

By




Name: Steven E. Dicke (Reg. No. 38,431)

Please consider this a Petition for Extension of Time for a sufficient number of months to enter these papers, if appropriate. At any time during the pendency of this application, please change any additional fees or credit overpayment to Deposit Account No. 500471.

**CERTIFICATE OF FACSIMILE TRANSMISSION:**Date of Transmission: June 8, 2006

The undersigned hereby certifies that this paper or papers, as described herein, are being transmitted by facsimile to the U.S. Patent and Trademark Office, Fax No. (571) 273-8300.



Name: Steven E. Dicke

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	John T. Ness	Examiner:	Heckenberg, Jr. Donald H.
Serial No.:	10/629,460	Group Art Unit:	3673
Filed:	July 29, 2003	Docket:	H295.101.101
Title:	CONCRETE BLOCK MOLD WITH MOVEABLE LINER		

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**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**  
**UNDER 37 C.F.R. 1.121**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Communication is in response to the "Notice of Non-Compliant Amendment" (see enclosed copy) mailed on May 8, 2006.

The Amendment and Response filed on April 25, 2006, does not fully comply with the requirements of the revised amendment practice guidelines. The Amendment and Response was deemed non-compliant because text was not included for withdrawn claims 55-67. With this Communication we have submitted a corrected Amendment and Response including the required text for withdrawn claims 55-67.

Applicant assumes the Amendment and Response is now compliant and is now in proper order and in condition for examination. A fee is not required with this Communication, however at any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 500471.

**Response to Notice of Non-Compliant Amendment under 37 C.F.R. 1.121**

Applicant: John T. Ness

Serial No.: 10/629,460

Filed: July 29, 2003

Docket No.: H295.101.101

Title: CONCRETE BLOCK MOLD WITH MOVEABLE LINER

Any inquiry regarding this Communication should be directed Steven E. Dicke at Telephone No. (612) 573-2002, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

**Dicke, Billig & Czaja, PLLC**  
Fifth Street Towers, Suite 2250  
100 South Fifth Street  
Minneapolis, MN 55402

Respectfully submitted,

John T. Ness,

By his attorneys,

**DICKE, BILLIG & CZAJA, PLLC**  
Fifth Street Towers, Suite 2250  
100 South Fifth Street  
Minneapolis, MN 55402  
Telephone: (612) 573-2002  
Facsimile: (612) 573-2005

Dated: June 8, 2006  
SED:GAK:bc

Steven E. Dicke  
Steven E. Dicke  
Reg. No. 38,431

**CERTIFICATE UNDER 37 C.F.R. 1.8:**

The undersigned hereby certifies that this paper or papers, as described herein, are being transmitted via facsimile to Facsimile No. (571) 273-8300 on this 8 day of June, 2006.

By:

Steven E. Dicke  
Name: Steven E. Dicke

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	John T. Ness	Examiner:	Heckenberg, Jr. Donald H.
Serial No.:	10/629,460	Group Art Unit:	3673
Filed:	July 29, 2003	Docket No.:	H295.101.101
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**AMENDMENT AND RESPONSE**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Amendment and Response is in reply to the Non-Final Office Action mailed January 25, 2006. Please amend the above-identified patent application as follows: